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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: |
Gale H. Thorne, et al . | Docket: JMH002
Serial No.: 10/774,929 | Art Unit:
Filed: February 9, 2004 | Examiner:
For: GUIDE-WIRE STEERED VARIABLE |
INCISION WIDTH SAFETY SCALPEL |

RELATED ART/INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Sir:

Attached is a replicated PTO-1449 form, for the current Related Art/Information Disclosure Statement, utilized by the United States Patent Office. The Applicants do not believe that the indicated related art is particularly germane and certainly such does not anticipate or make obvious the invention of the above-identified application. Applicants distinguish the related art patents and other publications from the present invention later in this document.

To the best of their recollection, the Applicants are not aware of any further patent or publication which might be deemed relevant. Restated, so far as Applicants are able to presently recall, they are not aware of any related art patents or publications believed to be germane in any way to the above-

identified application other than the patents mentioned below and said patents and publications are only of general interest.

U.S. Patent 5,843,168, titled OVER THE WIRE SCALPEL, issued December 1, 1998 to Samuels (Samuels) discloses a single blade scalpel having a hole through the blade and an associated handle for displacement of a guide wire therethrough.

U.S. Patent 4,633,860, titled CANAL FORMING DEVICE FOR PERCUTANEOUS NEPHROSCOPY, issued January 6, 1987 to Korth et al. (Korth) discloses a device for preparing an insertion canal for percutaneously inserting an endoscope.

U.S. Patent 4,955,890, titled SURGICAL SKIN INCISION DEVICE, PERCUTANEOUS INFECTION CONTROL KIT AND METHODS OF USE, issued September 11, 1990 to Yamamoto, et al. (Yamamoto) discloses a surgical cutter for producing a skin incision of controlled length and depth.

U.S. Patent 4,759,363 titled SCALPEL WITH REMOVABLE DEPTH GUARD, issued July 26, 1988 to Jensen (Jensen) teaches the use of a single removable guard which is used to transform the scalpel for cutting to a lesser, second depth of cut when the guard is affixed to the scalpel.

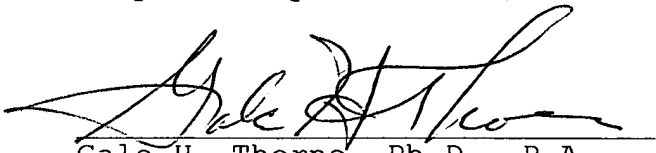
Of particular note, Samuels discloses a scalpel having a triangularly shaped unitary blade having a pair of cutting edges which meet to define a tip. It may be noted that such a blade cannot produce a variable width incision at a predetermined, constant depth.

Korth discloses one or more scalpel blades securely affixed to and radially extending outward from a tubular member which can be slideably displaced over a guide wire. Incisions resulting from use of the one or more scalpel blades of Korth are of fixed width.

Yamamoto teaches a pair of blades which form a cutter. Each blade of the pair of blades of Yamamoto lies on a side of a groove through which a guide-wire is threaded. Similar to the blade of Samuels, the combination of the pair of blades of Yamamoto cannot produce a variable width incision at a predetermined, constant depth, much less controllably vary both width and depth of an incision.

An incision of varying depth between a more shallow and a deeper cut is disclosed in Jensen.

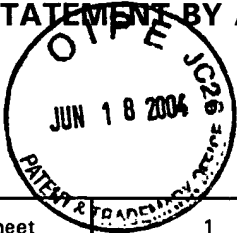
Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Gale H. Thorne', written over a horizontal line.

Gale H. Thorne, Ph.D., P.A.
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other Inventors

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Substitute for form 1449A/PTO (Replication)			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT 			Application Number	10/774,929	
			Filing Date	February 9, 2004	
			First Named Inventor	Gale H. Thorne	
			Art Unit		
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	JMH002

U.S. PATENT DOCUMENTS					
Examiner Initials	I t e m	Document Number	Patent Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - kind code (if known)			
	01	4,633,860	01-06-1987	Korth, et al.	Abstract, Figure 2, Claim 1
	02	4,759,363	07-26-1988	Jensen	Abstract, Figure 5
	03	4,955,890	09-11-1990	Yamamoto, et al.	Abstract, Column 2 (lines 12-19); Column 4 (lines 21-25); Column 5 (lines 53-60)
	04	5,843,108	12-01-1998	Samuels	Abstract, Claim 1; Figures 1 & 2; Column 2; lines 45-49; column 3, lines 10-15
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FOREIGN PATENT DOCUMENTS					
		None			
Examiner Signature				Date Considered	